

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Amy Armstrong,	)	C/A: 3:15-610-JFA
	)	
	)	
Plaintiff,	)	ORDER VACATING
	)	RUBIN ORDER AND
v.	)	RESTORING CASE TO
	)	COURT'S ACTIVE DOCKET
Blazin Wings, Inc.; Leon Curtis Croft,	)	
individually and as an employee/agent of	)	
Blazin Wings, Inc.,	)	
	)	
Defendants.	)	
	)	

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On February 23, 2016, this Court entered what has been come to be known in this District as a “Rubin Order” conditionally dismissing the remaining claims in this case and providing the parties with sixty days to consummate the settlement.

On Tuesday, March 22, 2016, this Court was informed by its docket clerk that a dispute has arisen regarding the settlement of this case. Because the Rubin Order’s time deadline will expire soon, this Court scheduled a quick conference call to discuss the issue with the parties.

As a result of the conference call, the Court determined that the fairest course of action at this point would be to simply vacate the Rubin Order, which has previously been entered, and restore this case to the Court’s active docket. The Court would also vacate the final judgment that was entered in favor of Blazin Wings, Inc. on this Court’s order for summary judgment.

For the foregoing reasons, the Rubin Order (ECF No. 86) is vacated, the case is restored to the Court's active docket as to defendant Croft, and the entry of judgment for defendant Blazin Wings (ECF No. 87) is vacated until the disposition of defendant Croft is determined.<sup>1</sup>

The Court will await further motions and briefing on issues that have arisen in this case and will determine them as soon as reasonably possible after they are filed.<sup>2</sup>

IT IS SO ORDERED.



March 23, 2016  
Columbia, South Carolina

Joseph F. Anderson, Jr.  
United States District Judge

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<sup>1</sup> Vacating the judgment in favor of Blazin Wings, Inc. will eliminate the obligation on the plaintiff to file her notice of appeal as to the Court's ruling granting summary judgment in favor of Blazin Wings, Inc. at this time.

<sup>2</sup> The parties should also note that the Bill of Costs filed by defendant Blazin Wings, Inc. on March 22, 2016 is now moot.